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T-928 P.002/005 F-880

DOCKET NO.: MQPP-0043

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

Michael D. Schmal, et al.

Confirmation No.: 6764

Application No.: 10/706,351

Group Art Unit: 1772

Filing Date: November 12, 2003

Examiner: Nordmeyer, Patricia L.

For: Thermoplastic Elastomer Films

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT

The owner, M&Q Plastic Products, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,682,792. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all

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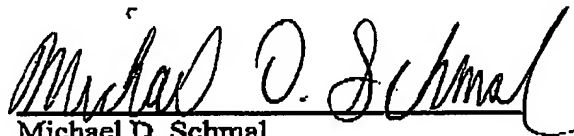
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☒ The required statement under 37 CFR § 3.73(b) is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☐ The undersigned is an attorney of record.

Date: May 25, 2005

  
Michael D. Schmal  
Project Development Manager

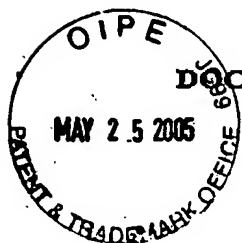
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## In Re Application of:

Michael D. Schmal, et al.

Application No.: 10/706,351

Filing Date: November 12, 2003

Patent No.: Not Yet Issued

Issued: Not Yet Issued

For: Thermoplastic Elastomer Films

EXPRESS MAIL LABEL NO: EL998521201US  
DATE OF DEPOSIT: May 25, 2005Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## STATEMENT UNDER 37 CFR § 3.73(b)

M&amp;Q Plastic Products, Inc., a Pennsylvania Corporation

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
- ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
- ☒ 1. The assignment was recorded in the Patent and Trademark Office at Reel 012040, Frame(s) 0466.
- ☐ 2. The assignment has not yet been recorded. A copy of the assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- i. From: To: The document was recorded in the Patent and Trademark Office at Reel , Frame(s) , or for which a copy thereof is attached.

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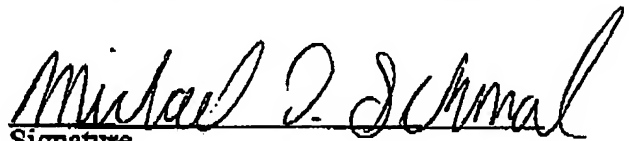
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☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: May 25, 2005



Signature

Name: Michael D. Schmal

Title: Project Development Manager

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